

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Section 7: Village of Chama

Subfile No. CHCV-002-0028

MOTION FOR SUBSTITUTION OF PARTIES

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer and pursuant to Fed. R. Civ. Pro. 25(c) moves the Court to issue its order substituting the Estate of Rose O. Martinez for Rose O. Martinez in these proceedings, and as grounds states as follows:

1. Defendant Rose O. Martinez is now deceased. The personal representative of the defendant's estate (Diego R. Martinez) has approved a proposed Consent Order for the water rights under this subfile (CHCV-002-0028) to be filed with the Court in the name of the Estate of Rose O. Martinez.

WHEREFORE the State requests the Court to enter its order substituting the Estate of Rose O. Martinez for defendant Rose O. Martinez in these proceedings.

Respectfully submitted,

/s/ Ed Newville
EDWARD G. NEWVILLE
Special Assistant Attorney General
Office of State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 867-7444

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Motion for Substitution was mailed to following this 6th day of July 2006:

Estate of Rose O. Martinez
c/o Diego R. Martinez, personal representative
PO Box 684
Chama, NM 87520

and transmitted by ACE filing to the following on the same date:

Special Master Vickie L. Gabin
USDC-DCNM
P.O. Box 2384
Santa Fe, NM 87504-2384

Karla McCall, Data Manager
1315 Sagebrush Dr. SW
Los Lunas, NM 87031

/s/ Ed Newville
Edward G. Newville